

EXHIBIT “ A ”

# **DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

☐ Declaration  
Submitted  
With Initial  
Filing

OR

☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket  
Number EL-CFP00414  
First Named Inventor YU, CHUN TE

## **COMPLETE IF KNOWN**

Application Number 10/671,659  
Filing Date OCTOBER 29, 2003  
Art Unit 3676  
Examiner Name GALL, LLOYD A

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

YU, CHUN TE; NO. 253, SEC. 3, YANHAI RD., FUSING TOWNSHIP, CHANGHUA COUNTY  
506, TAIWAN R.O.C.; CITIZEN OF TAIWAN  
NYKOLUK, CORY O.; 4240 RIDER TRAIL NORTH; ST. LOUIS, MO 63045; CITIZEN OF  
U.S.A.

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 10/29/2003 as United States Application Number or PCT International

Application Number 10/671,659 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Intellectual Property Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

### DECLARATION — Utility or Design Patent Application

Direct all correspondence to:



The address associated with Customer Number:



OR



Correspondence address below

25864

Name

PATENT TRADE MARK OFFICE

Address

City

State

ZIP

Country

Telephone

Email

#### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

CHUN TE

YU

Inventor's Signature

Date

X

*Yu Chun Te*

X

*4/5/2006*

Residence: City

State

Country

Citizenship

FUSING TOWNSHIP

CHANGHUA COUNTY 506

TAIWAN, R.O.C.

TAIWAN, R.O.C.

Mailing Address

NO 253, SEC. 3, YANHAI ROAD

City

State

Zip

Country

FUSING TOWNSHIP

CHANGHUA COUNTY 506

TAIWAN, R.O.C.



Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB02A or 02LR attached hereto.

# DECLARATION

## ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
CORY O.		NYKOLUK	
Inventor's Signature <i>Cory O. Nykoluk</i>		March 31, 2008 Date	
St. Louis Residence: City	MO State	USA Country	US Citizen Citizenship
4240 Rider Trail North			
Mailing Address			
St. Louis City	MO State	63045 Zip	USA Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is guaranteed by 35 U.S.C. 120 and 37 CFR 1.415 and 1.14. This collection is designed to take 20 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

DECLARATION OF CHUN TE YU

I, Chun Te Yu, declare:

1. I am a Taiwanese citizen over the age of 18 and if called as a witness, I could and would competently testify thereto.

2. I am the president for Fullyear-Brother Enterprise Co. Ltd., an assignee of this patent application.

3. I am the original named sole inventor for an invention depicted in the 10/671,659 U.S. non-provisional patent application. Hereinafter, the "659 Non-Provisional Patent Application."

4. The part of the invention regarding the padlock with general locking means formed in said lock body for locking or unlocking was invented by Mr. Cory Nykoluk.

5. Cory Nykoluk and I had an agreement that I would name Mr. Nykoluk as a co-inventor for the '659 Non-Provisional Patent Application. I proceeded to file the '659 Non-Provisional Patent Application and inadvertently forgot to name Mr. Nykoluk as a joint inventor for the '659 Non-Provisional Patent Application.

6. Pursuant to the requirement set forth in 37 CFR §

1.48(a)(2), I declare the error in inventorship occurred without deceptive intention on my part.

7. After further discussions with Mr. Nykoluk, to remedy the situation, Mr. Nykoluk agreed to assign the '659 Non-Provisional Patent Application to myself (50%) and my company Fullyear-Brother Enterprise Co., Ltd. (50%), collectively the assignees.

8. We proceeded to record the assignment. A true copy of the Assignment and Notice of Recordation of Assignment pertaining to the '659 Non-Provisional Patent Application is attached hereto as **Exhibit "1."**

9. For the foregoing reasons, I respectfully request the Commissioner's favorable consideration in granting this petition.

These statements are made with the knowledge that willful false statement and the like are punishable by fine and/or imprisonment, under Section 1001 of Title 18 of the U.S. Code and that such statements may jeopardize the validity of this application and any registration resulting therefrom. I declare that the facts set forth in this application are true; all statements made of his own knowledge are true, and all statements made on information and belief are believed to be true.

Signed at Hsia-Nien Tsun, Fu-Hsing Hsiang, Changhu, Taiwan,  
this 21 day of April, 2006.

A handwritten signature in black ink, appearing to read 'Chun Te Yu', written over a horizontal line.

Chun Te Yu, Declarant

EXHIBIT “ B ”



DECLARATION OF CORY NYKOLUK

I, Cory Nykoluk, declare:

1. I am a U.S. citizen over the age of 18 and if called as a witness, I could and would competently testify thereto.

2. That the entire delay in claiming the benefit of a prior provisional patent application was unintentional for the following reasons.

3. I am a co-inventor for an invention depicted in 10/671,659 U.S. non-provisional patent application. Hereinafter, the "'659 Non-Provisional Patent Application." Specifically, the concept of the padlock with a general locking means formed in said lock body for locking or unlocking was invented by me.

4. The applicant for the '659 Non-Provisional Application was Mr. Chun-Te Yu.

5. I had an agreement with Mr. Chun-Te Yu that he would name me as a co-inventor for the '659 Non-Provisional Application.

CN—

6. I recently found out that Mr. Yu inadvertently forgot to name me as a joint inventor for the '659 U.S. Non-Provisional Patent Application.

7. Pursuant to the requirement set forth in 37 CFR § 1.48(a)(2), I declare the error in inventorship occurred without deceptive intention on my part.

8. After further discussion with Mr. Yu and complying with my request and to remedy the situation, I agreed to assign the '659 Non-Provisional Patent Application to Mr. Yu's company FullYear-Brother Enterprise Co., Ltd.

9. We proceeded to record the assignment. A true copy of the Assignment and Notice of Recordation of Assignment pertaining to the '659 Non-Provisional Patent Application is attached hereto as **Exhibit "1."**

10. For the foregoing reasons, I respectfully request the Commissioner's favorable consideration in granting this petition.

These statements are made with the knowledge that willful false statement and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize



the validity of this application and any registration resulting therefrom. The undersigned further declares that the facts set forth in this application are true; all statements made of his own knowledge are true, and all statements made on information and belief are believed to be true.

Signed at MONROE, CALIFORNIA, ~~Missouri~~, this 20 day of OCTOBER, 2006.

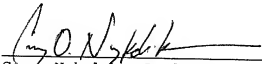
  
Cory Nykoluk, Declarant

EXHIBIT “ 1 ”

Serial No.: 10/671,659

ASSIGNMENT

WHEREAS,

CHUN TE YU and CORY NYKOLUK hereinafter referred to as ASSIGNORS, have invented certain new and useful improvements as described and set forth in the above-identified application for United States Letters Patent:

WHEREAS, CHUN TE YU (50%) and FULLYEAR-BROTHER ENTERPRISE CO., LTD (50%) of 41-21, GUAN TSO STREET, FU SHING, CHANGHWA, TAIWAN R.O.C., hereinafter, collectively referred to as ASSIGNEES, are desirous of acquiring ASSIGNORS' interest in said invention and application and in any U.S. Letters Patent which may be granted on the same:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by ASSIGNORS, ASSIGNORS have sold, assigned and transferred, and by these presents does sell, assign and transfer unto the said ASSIGNEES, and ASSIGNEES' successors and assigns, all their rights, title and interest in and to said invention and application and all future improvements thereon, and in and to any Letters Patent which may hereafter be granted on the same in the United States or anywhere, the said interest to be held and enjoyed by said ASSIGNEES as fully and exclusively as it would have been held and enjoyed by said ASSIGNORS had this Assignment and transfer not been made, to the full end and term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

ASSIGNORS further agree that they will, without charge to said ASSIGNEES, but at ASSIGNEES' expense, cooperate with ASSIGNEES in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assigned and transfer thereof, and will perform such other acts as ASSIGNEES lawfully may request, to obtain or maintain Letters Patent for said invention and improvement, and to vest title thereto in said ASSIGNEES or ASSIGNEES' successors and assigns.

IN TESTIMONY WHEREON, ASSIGNORS have signed their names on the date(s) indicated.

Full name of sole or first joint inventor:

Inventor's signature

X

CHUN TE

(GIVEN NAME)

Date X 4/21/2006

(MIDDLE INITIAL OR NAME)

YU

FAMILY (OR LAST NAME)

Full name of second joint inventor (if any):

Inventor's signature

X

CORY

(GIVEN NAME)

Date X 11-MAY-2006

(MIDDLE INITIAL OR NAME)

NYKOLUK

FAMILY (OR LAST NAME)



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 22, 2006

PTAS

**\*700265242A\***

~~\*700265242A\*~~

CHARLES C.H. WU  
98 DISCOVERY  
IRVINE, CA 92618-3105

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 05/18/2006

REEL/FRAME: 017647/0037  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

YU, CHUN TE

DOC DATE: 04/21/2006

ASSIGNOR:

NYKOLUK, CORY

DOC DATE: 05/11/2006

ASSIGNEE:

CHUN TE YU AND FULLYEAR-BROTHER  
ENTERPRISE CO.  
41-21, GUAN TSO STREET  
FU SHING CHANGHWA, TAIWAN R.O.C.

SERIAL NUMBER: 10671659

FILING DATE: 09/29/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: PADLOCK

017647/0037 PAGE 2

STEVEN POST, EXAMINER  
ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION